

TRUSTEE COUNCIL RESOLUTION 04-2
Amended ~~ADOPTED~~ July 13, 2004

**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING
Funding for the Montrose Settlements Restoration Program:
Supplemental Stable Isotope Work**

1. The National Oceanic and Atmospheric Administration; the State of California acting through the State Lands Commission, the Department of Parks & Recreation and the Department of Fish & Game; and the Department of the Interior, acting through the U.S. Fish & Wildlife Service and the U.S. Park Service are the natural resource trustees (Trustees) for natural resources injured by releases of DDT and PCBs into the Southern California Bight.
2. Sums recovered in the civil action *United States, et al. v. Montrose Chemical Corp., et al.*, No. CV 90-3122-R (C.D. Cal. 1990) are being held in the Department of the Interior Natural Resource Damage Assessment and Restoration Fund (DOI Restoration Fund) and the registry account administered by the U.S. District Court for the Central District of California.
3. The Trustees have entered into a memorandum of agreement (MOA), as modified, that establishes a Trustee Council (Montrose Trustee Council) composed of one voting member for each trustee agency. Under the terms of that MOA, the Montrose Trustee Council is authorized to disburse funds for activities related to the damage assessment and restoration process.
4. At its meeting on January 15, 2004, the Trustee Council reviewed the results of initial stable isotope work presented by U.S. Fish and Wildlife Service. Funding for the initial stable isotope work had been included (separate from funding for analysis of DDTs and PCBs) as a portion of the advanced funding provided to U.S. Fish and Wildlife Service within the Trustee Council's overall 2003 annual budget (see Resolution 02-9). Based upon review of the initial work and U.S. Fish and Wildlife Service recommendations, the Trustee Council authorizes additional stable isotope work at a projected cost of approximately \$11,000 (see Attachments 1 and 2).
5. The Montrose Trustee Council resolves unanimously to authorize U.S. Fish and Wildlife Service to expend up to \$11,000 to perform the recommended additional stable isotope studies described in Attachment 2. Funding is to be derived from the advanced funds provided through Resolution 02-9 to the U.S. Fish and Wildlife Service for analysis of DDTs and PCBs, but no longer needed for that purpose.
6. After completion of the work described in Paragraph 4 above, U.S. Fish and Wildlife Service will provide the Montrose Trustee

Council with 1) a comprehensive report presenting the results of stable isotope work, and 2) cost documentation that summarizes costs incurred on the project and includes copies of supporting documentation as required under the Trustees' cost reimbursement procedures.

7. The Montrose Trustee Council reserves the right to reopen, revise, and/or revoke its approval of this Resolution should any material change be made to the sampling plan, or if the Trustees determine that the work performed pursuant to the plan is deficient.
8. The effective date of the Resolution shall be the date on which the last trustee signs this document.

CONCURRED in by the following who are the duly authorized Montrose Trustee Council Representatives:

for Jennifer Boyce

William Conner
National Oceanic &
Atmospheric Administration

13 July 2004

Date

James Haas

James Haas
U.S. Fish & Wildlife Service

13 July 2004

Date

Kate Faulkner

Kate Faulkner
National Park Service

13 July 2004

Date

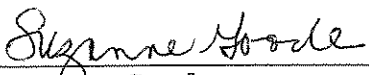
Jonathan W Clark

Jonathan Clark

July 13 2004

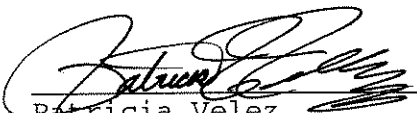
Date

State Lands Commission



Suzanne Goode
Department of Parks &
Recreation

July 13, 2004
Date



Patricia Velez
Department of Fish & Game

July 13, 2004
Date